

REDACTED FOR
PUBLIC DISCLOSURE

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Brian Guzman-Ochoa,
aka Martin Brian Guzman-Ochoa,

Defendant.

No. **CR08-0990 PHX**

INDICTMENT

VIO: 8 U.S.C. §§ 1324(a)(1)(A)(ii) &
(a)(1)(B)(iv)
(Transportation of Illegal Aliens
Resulting in Death)
Count 1

8 U.S.C. §§ 1324(a)(1)(A)(ii) &
(a)(1)(B)(iii)
(Transportation of Illegal Aliens)
Count 2

8 U.S.C. § 1324(a)(2)(B)(ii)
(Bringing In Illegal Aliens)
Counts 3-5

8 U.S.C. § 1326(a)
(Reentry After Deportation)
Count 6

THE GRAND JURY CHARGES:

COUNT 1

On or about August 7, 2008, in the District of Arizona, BRIAN GUZMAN-OCHOA, knowing and in reckless disregard of the fact that, certain aliens, Gabriel Ismael Tejada Vega, a person known as Jose Alvarez-Lopez, Denis Miguel Martinez Alfaro, Maria Elena Argueta Argueta, Jose Santos Rodriguez Serrano, Jose Angel Alfaro-Solano, Olvin Noe Hernandez-Chirino, Jesus Enrique Barrera-Morales aka Josue Acosta-Ramirez, and Reina Isabel Cabrera

1 Hernandez, had come to, entered and remained in the United States in violation of law, did
2 transport and move said aliens within the United States by means of transportation and otherwise
3 in furtherance of such violation of law, resulting in the death of Gabriel Ismael Tejada Vega, a
4 person known as Jose Alvarez-Lopez, Denis Miguel Martinez Alfaro, Maria Elena Argueta
5 Argueta, Jose Santos Rodriguez Serrano, Jose Angel Alfaro-Solano, Olvin Noe Hernandez-
6 Chirino, Jesus Enrique Barrera-Morales aka Josue Acosta-Ramirez, and Reina Isabel Cabrera
7 Hernandez.

8 In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (a)(1)(B)(iv).

9 **COUNT 2**

10 On or about August 7, 2008, in the District of Arizona, BRIAN GUZMAN-OCHOA,
11 knowing and in reckless disregard of the fact that certain aliens, Juvenile Male (El Salvador),
12 Juvenile Male (Guatemala), Jose David Cardona-Salmerone, Miguel Angel Deras-Cardoza, Jose
13 Games-Baltazar, Efrian Eliseo Ortiz, Yonis Chacon-Chavaria, Roberto Antonio Ventura-Laso,
14 and Victor Carlos Rodriguez-Chacon had come to, entered and remained in the United States
15 in violation of law, did transport and move said aliens within the United States by means of
16 transportation and otherwise in furtherance of such violation of law, and in doing so placed in
17 jeopardy the life of any person.

18 In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(ii) and (a)(1)(B)(iii).

19 **COUNT 3**

20 On or about August 5, 2008, in the District of Arizona, BRIAN GUZMAN-OCHOA,
21 knowing and in reckless disregard of the fact that a certain alien, Efrian Eliseo Ortiz, had not
22 received prior official authorization to come to, enter, or remain in the United States, did
23 knowingly bring to the United States in any manner whatsoever, such alien, regardless of any
24 official action which may later be taken with respect to such alien, and did so for the purpose of
25 commercial advantage or private financial gain.

26 In violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

1 COUNT 4

2 On or about August 5, 2008, in the District of Arizona, BRIAN GUZMAN-OCHOA,
3 knowing and in reckless disregard of the fact that a certain alien, Juvenile Male (El Salvador),
4 had not received prior official authorization to come to, enter, or remain in the United States, did
5 knowingly bring to the United States in any manner whatsoever, such alien, regardless of any
6 official action which may later be taken with respect to such alien, and did so for the purpose of
7 commercial advantage or private financial gain.

8 In violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

9 COUNT 5

10 On or about August 5, 2008, in the District of Arizona, BRIAN GUZMAN-OCHOA,
11 knowing and in reckless disregard of the fact that a certain alien, Yonis Chacon-Chavaria, had
12 not received prior official authorization to come to, enter, or remain in the United States, did
13 knowingly bring to the United States in any manner whatsoever, such alien, regardless of any
14 official action which may later be taken with respect to such alien, and did so for the purpose of
15 commercial advantage or private financial gain.

16 In violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii).

17 COUNT 6

18 On or about August 7, 2008, BRIAN GUZMAN-OCHOA, an alien, entered and was found
19 in the United States of America at or near Florence in the District of Arizona, after having been
20 previously denied admission, excluded, deported, and removed from the United States at or near
21 Nogales, Arizona, on or about February 3, 2003, and not having obtained the express consent
22 of the Attorney General or the Secretary of the Department of Homeland Security to reapply for
23 admission.

24
25
26
27 ///

28 ///

1 In violation of Title 8, United States Code, Section 1326(a).

2 A TRUE BILL

3 /S/

4 FOREPERSON OF THE GRAND JURY
5 Date: August 26, 2008

6 DIANE J. HUMETEWA
7 United States Attorney
8 District of Arizona

9 /S/

10 BRIAN E. KASPRZYK
11 Assistant U.S. Attorney
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28